

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

CECELIA R. VARNEY o/b/o J.J.V.,
Next of Kin of Stephen Rufus
Varney,

Plaintiff,

v.

Civil Action No. 2:17-cv-03012

NANCY A. BERRYHILL, Acting
Commissioner of Social Security,

Defendant.

MEMORANDUM OPINION AND ORDER

This action was previously referred to Omar J. Aboulhosn, United States Magistrate Judge, who has submitted his Proposed Findings and Recommendation pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B).

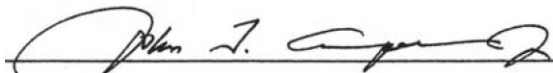
The court has reviewed the Proposed Findings and Recommendation entered by the magistrate judge on November 13, 2017. The magistrate judge recommends that the court "deny the Claimant's request for Judgment on the Pleadings, grant the Defendant's request to affirm the final decision, affirm the final decision of the Commissioner, and dismiss this matter from the [court's] docket." The plaintiff, represented by counsel, has not objected to the Proposed Findings and Recommendation.

Accordingly, it is ORDERED that

1. The Proposed Findings and Recommendations be, and hereby is, adopted by the court;
2. The plaintiff's request for judgment on the pleadings be, and hereby is, denied;
3. The defendant's request to affirm the Commissioner's final decision be, and hereby is, granted; and
4. This matter be, and hereby is, dismissed from the court's docket.

The Clerk is directed to forward copies of this written opinion and order to all counsel of record and the United States Magistrate Judge.

ENTER: December 19, 2017

A handwritten signature in dark ink, appearing to read "John T. Copenhaver, Jr.", is written over a horizontal line.

John T. Copenhaver, Jr.
United States District Judge